IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 15989 of 2006

Date of Decision: October 10, 2006

Dhanna Ram

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

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M.M. KUMAR, J. (ORAL)

The prayer made by the petitioner is that the order dated October 4, 2006 (P-2) passed by the Director Food and Supplies, Haryana, (respondent No.2) declining his request for change of date of his birth be set aside. The petitioner when entered in service has given his date of birth as December 4, 1948 and thereafter continued to work without raising a little finger. However, when he is on the verge of retirement he wishes to change

his date of birth from December 4, 1948 to March 10, 1952, on the ground that it has been later on discovered that his date of birth has been wrongly given. In support of his submission, the petitioner has placed on record a copy of the certificate issued by the Additional District Registrar, Births and Deaths-cum-District Health Officer, Kaithal, (P-1).

Having heard the learned counsel, we are of the considered view that the date of birth given by the petitioner throughout his service period cannot be permitted to be changed at the fag end of his career when he is likely to retire in December, 2006, on attaining the age of superannuation. It is well settled that the settled claim cannot be unsettled by change of date of birth. The petitioner who has been working on the post of Sub Inspector in the Food and Supplies Department, if allowed to change his date of birth, then this would cause prejudice to the rights of those who are working on the feeder post from which the promotion to the post of Sub Inspector is made. Similarly, the change of date of birth could also reflect on various other issues like entry of service and passing of various examinations, therefore, no interference by this Court is warranted. The writ petition is wholly misconceived.

Dismissed.

(M.M.KUMAR)
JUDGE

October 10, 2006
sanjay

(M.M.S.BEDI)
JUDGE